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Possession*

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
	:
Debtor.	:
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**HEARING AGENDA**

<b><u>Time and Date of Hearing:</u></b>	November 5, 2018 at 1:30 p.m. (Eastern Time)
<b><u>Location of Hearing:</u></b>	Courtroom of the Honorable Robert E. Grossman, United States Bankruptcy Court for the Eastern District of New York, Alfonse M. D'Amato U.S. Courthouse, 290 Federal Plaza, Courtroom 860, Central Islip, New York 11722

<b><u>Copies of Motions and Applications:</u></b>	The Motions and Applications may be viewed on the Court's website ( <a href="http://www.nyeb.uscourts.gov/">http://www.nyeb.uscourts.gov/</a> ) with a login and password to the Court's Public Access to Court Electronic Records and copies of such documents can be obtained from the Debtor's noticing agent, Garden City Group, LLC at <a href="http://www.choosegcb.com/cases-info/dco/">www.choosegcb.com/cases-info/dco/</a>
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I. **Uncontested Matters**

1. Adjourned Status Hearing

Related Documents:

- A. Order Scheduling Initial Case Management Conference [DE 74]

Status: This matter is going forward.

2. Committee's Motion to Amend Final Order (I) Authorizing Debtor to Obtain Postpetition Financing and Use Cash Collateral, (II) Granting Adequate Protection, and (III) Granting Certain Related Relief [DE 624]

Related Documents:

- A. Affidavit of Service [DE 625]

Status: This matter is going forward.

3. Debtor's Motion for Entry of an Order Approving (I) Disclosure Statement, (II) Form of and Manner of Notices, (III) Form of Ballots and (IV) Solicitation Materials and Solicitation Procedures [DE 615]

Related Documents:

- A. Plan of Liquidation of Dowling College Pursuant to Chapter 11 of the Bankruptcy Code [DE 604]

- B. Disclosure Statement for Plan of Liquidation of Dowling College Pursuant to Chapter 11 of the Bankruptcy Code [DE 605]

- C. Notice of Hearing on Debtor's Motion for Entry of an Order Approving (I) Disclosure Statement, (II) Form of and Manner of Notices, (III) Form of Ballots and (IV) Solicitation Materials and Solicitation Procedures [DE 614]

- D. Affidavits of Service [DE 620, DE 621, DE 633]

- E. First Amended Plan of Liquidation of Dowling College Pursuant to Chapter 11 of the Bankruptcy Code [DE 629]
- F. First Amended Disclosure Statement for Plan of Liquidation of Dowling College Pursuant to Chapter 11 of the Bankruptcy Code [DE 630]
- G. Notice of Filing of (I) First Amended Plan of Liquidation of Dowling College Pursuant to Chapter 11 of the Bankruptcy Code; and (II) First Amended Disclosure Statement for Plan of Liquidation of Dowling College Pursuant to Chapter 11 of the Bankruptcy Code [DE 631]
- H. Affidavit of Service [DE 634]

Status: This matter is going forward.

## II. **Adversary Proceeding**

*Lori Zaikowski, on behalf of herself and all others similarly situated v. Dowling College, Adv. Pro. No. 16-08178 (REG)*

- 1. Pretrial Conference

### Related Documents:

- A. Second Amended Adversary Class Action Complaint [Adv. Pro. DE 3]
- B. Dowling College's Answer with Affirmative Defenses [Adv. Pro. DE 7]
- C. Initial Pretrial Order [Adv. Pro. DE 9]

Status: This matter is going forward.

- 2. Joint Motion Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 7023 and 9019 to (I) Approve a Settlement Pursuant to Fed. R. Bankr. P. 9019, (II) Certify Class B for Settlement Purposes Only, Appoint Class Counsel, and the Class B Representative, and Preliminary Approve the Settlement Pursuant to Fed. R. Bankr. P. 7023, (III) Approve the Form and Manner of Notice to Class Members of the Class Certification and Settlement, (IV) Schedule a Final Hearing to Consider Final Approval of the Settlement, (V) Approve the Settlement on a Final Basis, and (VI) Grant Related Relief [Adv. Pro. DE 29], [DE 594]

### Related Documents:

- A. Affidavit of Service of Joint Motion [DE 596]
- B. Notice of (A) Updated Exhibits to the Settlement and Release Agreement, dated August 31, 2018, By and Among (I) Dowling College, (II) Lori

Zaikowski, on behalf of herself and Class A Members, and (III) Cathryn Mooney, on behalf of herself and Class B Members and (B) Updated Proposed Orders [Adv. Pro. DE 30], [DE 602]

- C. Order (A) Approving the Settlement Agreement Between (I) the Debtor, (II) the Class A Representative, on Behalf of Herself and Class A Members, and (III) the Class B Representative, on Behalf of Herself and Class B Members, Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure; (B) Preliminarily Certifying Class B for Settlement Purposes Only, Approving the Law Firm of Outten & Golden LLP as Class Counsel for Class B, Appointing Cathryn Mooney as the Class B Representative and Approving the Settlement Agreement Pursuant to Rule 23(c) of the Federal Rules of Civil Procedure made Applicable by Rule 7023(c) of the Federal Rules of Bankruptcy procedures; (C) Approving the Form and Manner of Notices to the Class; (D) Scheduling a Final Hearing for Final Consideration and Approval of the Settlement Agreement; and (E) Granting Related Relief [Adv. Pro. DE 31], [DE 610]
- D. Affidavit of Service of Class Notices [DE 616]
- E. Declaration of Robert S. Rosenfeld, Chief Restructuring Officer of the Debtor, in Support of the Joint Motion Seeking Approval of the Settlement Agreement Between (I) the Debtor, (II) the Class A Representative, on Behalf of Herself and Class A Members, and (III) the Class B Representative, on Behalf of Herself and Class B Members [Adv. Pro. DE 32], [DE 628]

Status: This matter is going forward.

Dated: New York, New York  
November 2, 2018

**KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP**

By: /s/ Sean C. Southard  
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